

ELECTION/RESTRICTION's

In the Office Action, mailed June 23, 2005 the Examiner required Restriction to one of the following inventions under 35 U.S.C. §121:

- I. Claims 1-18, drawn to a process, classified in class 201, subclass 41.
- II. Claims 19 - 23, drawn to an apparatus, classified in class 202, subclass 242.

Applicants affirm the telephone election of the claims in Group I, claims 1-18, and the withdrawal from consideration of claims 19-23. Applicants appreciate Examiner's reminder of the potential need to amend inventorship upon cancellation of claims to a non-elected invention; however, Applicants note that with respect to the elected claims as amended herein amendment of inventorship is not necessary. Applicants respectfully reserve the right to present claims 19-23 in a divisional application pursuant to 35 U.S.C. §121.

Drawings

In paragraph 6 of the Office Action the Examiner objects to the drawings relative to claims 17 and 18, which claimed a gantry or trolley system. Claims 17 and 18 are canceled herein. Accordingly, applicants respectfully request withdrawal of this objection.

Specification

In response to the Examiner's reminder of the proper content of an abstract of the disclosure, applicants submit herewith an amended Abstract of the Disclosure in the foregoing Amendments to the Specification on page 3 of this Response.

Third-Party Submission

Applicants acknowledge the filing of a third party submission under 37 CFR 1.99 on February 24, 2004. In this regard Applicants respectfully note that one of the submissions, US patent number 6,660,131, was cited by the Examiner on USPTO form 892. The other two submissions, US patent number 6,565,714 and US patent number 4,820,384 were not cited; therefore, applicants submit herewith a supplemental Information Disclosure Statement in accordance with 37 CFR 1.97 and 1.98.

Claim Rejections -- 35 USC § 112

In paragraph 11 of the Office Action the Examiner rejects claim 13 as failing to comply with the enablement requirement of 35 USC § 112, first paragraph. Applicants have canceled claim 13 herein, therefore this rejection is obviated.

Claim Rejections -- 35 USC § 102

In paragraph 13 of the Office Action the Examiner rejects claims 1, 6, 10-12 and 14 - 16 under 35 USC §102(e) as being anticipated by US patent number 6,660,131 to Lah. In response to Applicants have canceled such claims as set forth in the foregoing Listing of Claims.

Claim Rejections -- 35 USC § 103

In paragraph 15 of the Office Action the Examiner rejects claims 4 and 5 under 35 USC § 102(e) and anticipated by Lah (US 6,660,131) or in the alternative is obvious over Lah. In response, Applicants have canceled claims 4 and 5.

In paragraph 16 of the Office Action the Examiner rejects claims 6 and 10 under 35 USC §103(a) over Lah in view of Antalffy et al. (US 5,620,603). Applicants respectfully disagree with this rejection noting that Lah only generally discloses the need for a chute to direct falling coke to a receiving facility and Antalffy et al. discloses a locking chute system that, nonetheless, must be locked and unlocked, removed and replaced with each coking and decoking cycle to enable “swing-away” of a pivotally mounted vessel deheading device. In this regard, the distinguishing aspect of the instant invention is that the chute system is sealed to the closure housing and remains sealed to the closure housing through repetitive coking in decoking cycles. Lah and Antalffy et al. do not teach or even suggest such a closed and repetitively useful, sealed chute system. Accordingly, Applicants have retained Claim 6 and respectfully request withdrawal of this rejection in respect of Claim 6. Claim 10 is canceled.

In paragraph 18 of the Office Action the Examiner rejects Claims 17 and 18 under 35 USC § 103(a) as being unpatentable over Lah (US 6,660,131) in view of Fruchtbaum et al. (US 5,228,825). In response to applicants have canceled Claims 17 and 18.

Allowable Subject Matter

Applicants note with appreciation the Examiner's finding of allowable subject matter in claims 2, 3, 8 and 9 provided that such claims are rewritten into independent form, including all of the limitations of the base claim and any intervening claims. In response Applicants have amended Claim 2 into independent form and incorporating all the limitations of Claim 1, including in step (c) thereof a claim to a side entry feedline. Claim 3 is written to depend from Claim 2, as amended. Claims 8 and 9 are written to depend from Claim 6, which Applicants believe is now in allowable form, in light of the above arguments. Allowances of claim 2, 3, 6, 8 and 9 is respectfully requested.

Conclusion

In view of the amended claims submitted herewith in the **Remarks/Arguments** set forth above, Applicants believe that the claims currently pending in this matter are now in condition for allowance and respectfully request the Examiner to issue a Notice of Allowance in this matter in a timely fashion.

Respectfully submitted,



Steven R. Ellinwood
Attorney for Applicant
Reg. No. 48,495
(925) 842-1471

SRE:cg
Enclosures